IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1086 OF 2006

Mr. Vilas Limbaji Gite ..Applicant.
V/s
State of Maharashtra ..Respondent.

Mr. Mahesh B. Zanwar for the applicant.

Miss. MA. Mhatre, A.P.P for the State.

CORAM : V.M. KANADE, J.
DATE : 27TH MARCH, 2006.

P.C.

. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with the offence punishable under Section 302 and 201 of Indian Penal Code.

3. It is alleged that the driver of a jeep was murdered and the vehicle which was driven and his other belongings were stolen. It is the prosecution case that Scarpio vehicle was found in possession of the applicant. It is submitted by the learned APP that one

offence is registered against the applicant under section 399 of Indian Penal Code for attempting to commit robbery. In the present case charge-sheet has been filed. Only evidence against the present applicant being possession of the vehicle which was being driven by deceased driver, in my view the applicant is entitled to be released on bail, as at least prima facie there is no evidence that this applicant had committed murder of the deceased.

4. The applicant be released on bail in the sum of Rs. 5000/- with one or two sureties in the like amount. He shall report to Shikrapur Police Station once in a month.

[V.M. KANADE, J.]